

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

NATIONAL OILWELL VARCO, L.P.

Plaintiff,

v.

JULIO C. GARZA

Defendant.

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Civil Action No. 4:22-CV-02006

**AGREED JOINT MOTION FOR ENTRY OF PROPOSED ORDER**  
**AMENDING ORDER ON FORENSIC PROTOCOL**

COMES NOW Plaintiff National Oilwell Varco, L.P. and Defendant Julio C. Garza (collectively, the “Parties”), and respectfully jointly request the Court to enter the Proposed Order Amending the Forensic Protocol filed herewith, which is intended to amend the Forensic Protocol entered by this Court on August 4, 2022 [Dkt. 62.1] in order to align the actions of the third-party vendor which has performed the Forensic Protocol with the orders of this Court.

**I.**

1. Following briefing by the parties related to the scope of forensic review of USB devices, including the Subject Drive, Garza’s personal computer, iPhone, Garza’s personal email accounts and cloud storage accounts, this Court issued its Order on Inspection and attendant Forensic Protocol on August 4, 2022. [Dkt. 62.1].

2. On August 8, 2022, pursuant to the Court’s Forensic Protocol, Garza provided certain lists, data, and password and user name credentials to third-party vendor Chorus Consulting (“Chorus”).

3. On August 12, 2022, among other things, Chorus completed its search of Garza's lists, data, and information pursuant to the Forensic Protocol. Also on August 12, 2022, Chorus deleted and destroyed certain personal email files of Garza which were not subject to deletion and destruction under the terms of the Forensic Protocol. Additionally, Chorus issued a Certificate of Destruction identifying those documents deleted and destroyed, including those emails which were not subject to deletion and destruction under the terms of the Forensic Protocol.

4. Upon review, because it contained information which was not subject to disclosure to counsel for Varco under the terms of the Forensic Protocol, counsel for Garza immediately requested that Varco not review the Certificate of Destruction list, and counsel for Varco agreed.

5. The Parties have since agreed as to the need for an amendment of the Forensic Protocol in order to align the actions of the third-party vendor with the orders of this Court and to take actions to preserve and protect Garza's privacy and any applicable privileges to the content of Garza's devices and personal accounts. The proposed amendment to the Forensic Protocol is intended to address these concerns, as well as to allow Garza access to his personal information which was not intended to be destroyed under the Forensic Protocol.

6. The Parties agree that any provision of the Forensic Protocol not amended by the Proposed Order Amending Forensic Protocol would remain in place and in effect.

## **II.**

WHEREFORE, PREMISES CONSIDERED, Plaintiff National Oilwell Varco, L.P. and Defendant Julio C. Garza pray the Court enters their Proposed Order Amending the Court's August 4, 2022 Order on Forensic Protocol and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served pursuant to the Federal Rules of Civil Procedure on August 25, 2022, to the following counsel of record:

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